

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1078

Amending County Land Use Code, Plans and Maps to Adopt Portland's Recent Transportation System Plan, Comprehensive Plan and Map Revisions Related to the incorporation of the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County in Compliance with Metro's Functional Plan and Declaring an Emergency

The Multnomah County Board of Commissioners Finds:

- a. The Board of County Commissioners (Board) adopted Resolution A in 1983 which directed the County services towards rural services rather than urban.
- b. In 1996, Metro adopted the Functional Plan for the region, mandating that jurisdictions comply with the goals and policies adopted by the Metro Council.
- c. In 1998, the County and the City of Portland (City) amended the Urban Planning Area Agreement to include an agreement that the City would provide planning services to achieve compliance with the Functional Plan for those areas outside the City limits, but within the Urban Growth Boundary and Portland's Urban Services Boundary.
- d. It is impracticable to have the County Planning Commission conduct hearings and make recommendations on land use legislative actions pursuant to MCC 37.0710, within unincorporated areas inside the Urban Growth Boundary for which the City provides urban planning and permitting services. The Board intends to exempt these areas from the requirements of MCC 37.0710, and will instead consider the recommendations of the Portland Planning Commission and City Council when legislative matters for these areas are brought before the Board for action as required by intergovernmental agreement (County Contract #4600002792) (IGA).
- e. On June 8, 2006, the Board amended County land use codes, plans and maps to adopt the City's land use codes, plans and map amendments in compliance with Metro's Functional Plan by Ordinance 1076.
- f. Since the adoption of Ordinance 1076, the City's Planning Commission recommended Transportation System Plan, Comprehensive Plan and map amendments to the City Council through duly noticed public hearings.
- g. The City notified affected County property owners as required by the IGA.

- h. The City Council amended its Transportation System Plan and Comprehensive Plan, set out in Section 1 below and attached as Exhibits 1 through 5. The IGA requires that the County adopt these amendments for the City planning and zoning administration within the affected areas.

Multnomah County Ordains as follows:

Section 1. The County Comprehensive Framework Plan, community plans, rural area plans, sectional zoning maps and land use code chapters are amended to include the Portland Transportation System Plan, Comprehensive Plan and map amendments, attached as Exhibits 1 through 5, effective on the same date as the respective Portland ordinance:

Exhibit No.	Description	Effective / Hearing Date
1	Ordinance amending the Transportation System Plan and Comprehensive Plan to incorporate the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County. (PDX Ord. #180172)	6/24/06
2	Exhibit A – Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County	2/2006
3	Exhibit B – Transportation System Plan Findings	2/2006
4	Exhibit C – Comprehensive Plan Amendments	2/2006
5	Exhibit D – Major Transportation Improvements list	2/2006

Section 2. In accordance with ORS 215.427(3), the changes resulting from Section 1 of this ordinance shall not apply to any decision on an application that is submitted before the applicable effective date of this ordinance and that is made complete prior to the applicable effective date of this ordinance or within 180 days of the initial submission of the application.

Section 3. In accordance with ORS 92.040(2), for any subdivisions for which the initial application is submitted before the applicable effective date of this ordinance, the subdivision application and any subsequent application for construction shall be governed by the County’s land use regulations in effect as of the date the subdivision application is first submitted.

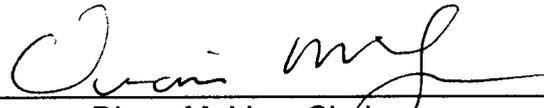
Section 4. Any future amendments to the legislative matters listed in Section 1 above, are exempt from the requirements of MCC 37.0710. The Board acknowledges, authorizes and agrees that the Portland Planning Commission will act instead of the Multnomah Planning Commission in the subject unincorporated areas using the City's own procedures, to include notice to and participation by County citizens. The Board will consider the recommendations of the Portland Planning Commission when legislative matters for County unincorporated areas are before the Board for action.

Section 5. An emergency is declared in that it is necessary for the health, safety and general welfare of the people of Multnomah County for this ordinance to take effect concurrent with the City code, plan and map amendments. Under section 5.50 of the Charter of Multnomah County, this ordinance will take effect in accordance with Section 1.

FIRST READING AND ADOPTION: June 22, 2006



BOARD OF COUNTY COMMISSIONERS,
FOR MULTNOMAH COUNTY, OREGON



Diane M. Linn, Chair

REVIEWED:

AGNES SOWLE, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By 

Agnes Sowle, County Attorney

EXHIBIT LIST FOR ORDINANCE

1. Ordinance amending the Transportation System Plan and Comprehensive Plan to incorporate the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County. **(PDX Ord. #180172)**
2. Exhibit A – Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County
3. Exhibit B – Transportation System Plan Findings
4. Exhibit C – Comprehensive Plan Amendments
5. Exhibit D – Major Transportation Improvements List

Prior to adoption, this information is available electronically or for viewing at the Multnomah County Board of Commissioners and Agenda website (www.co.multnomah.or.us/cc/WeeklyAgendaPacket/). To obtain the adopted ordinance and exhibits electronically, please contact the Board Clerk at 503-988-3277. These documents may also be purchased on CD-Rom from the Land Use and Transportation Program. Contact the Planning Program at 503-988-3043 for further information.

ORDINANCE No. 180172

Amend the Transportation System Plan and Comprehensive Plan to incorporate the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County (Ordinance; amend Ordinance No. 177028)

The City of Portland ordains:

Section 1. The Council finds that:

1. The City of Portland adopted its Comprehensive Plan on October 16, 1980 (effective date January 1, 1981). The Plan was acknowledged as being in conformance with Statewide Land Use Planning Goals by the Land Conservation and Development Commission (LCDC). Upon its adoption, the Plan complied with State Goal 12: Transportation.
2. In April 1991, the LCDC adopted an Administrative Rule for Goal 12 (660-012), the Transportation Planning Rule (TPR), which imposed additional requirements on local jurisdictions to achieve compliance with Goal 12.
3. The TPR requires local jurisdictions to develop transportation system plans (TSP) to ensure that the transportation system will support travel and land use patterns that will avoid air pollution, traffic, and livability problems faced by other areas of the country. The TSP also incorporates the requirements of State Land Use Goal 11: Public Facilities and becomes the public facilities plan for transportation for the City.
4. The Public Facilities Plan for the City was adopted by City Council Ordinance No. 161770 on April 5, 1989. The Public Facilities Plan for Transportation includes a list of major transportation projects intended to serve the needs of the City for the following 20 years. The TSP Transportation System Improvements replaced the transportation projects in the Public Facilities Plan.
5. The Transportation Element of the Comprehensive Plan (TE) was originally adopted by City Council by Ordinance 165851 (effective date October 23, 1992) to update the Transportation Goal and Policies to comply, in part, with the TPR. The TE also updated and incorporated the Arterial Streets Classification Policy (ASCP), including district policies and street classification descriptions and maps, into the Comprehensive Plan.
6. The TE was updated in 1996 and adopted by City Ordinance No. 170136 (effective date June 21, 1996). This update was Phase 1 of the City's effort to develop a transportation system plan for the City and includes amendments to Goal 6 and its policies, street classifications, and Goals 1, 2, 7, and 11.
7. On October 30, 2002 City Council adopted (Ordinance No. 177028), effective date December 14, 2002, the first Transportation System Plan (TSP) for Portland. The first technical update of the TSP occurred in October 2004 (Ordinance No. 178815 and 178826).
8. The Multnomah County TSP amendments support Portland's long term commitment to efficient land use and its commitment to integrate land use and transportation planning.
9. The amendments are consistent with Metro's Regional Transportation Plan (RTP), which was last updated on July 8, 2004 (Metro Ordinance 04-1045A).

10. On December 9, 2005, notice of proposed action was mailed to the Oregon Department of Land Conservation and Development (DLCD) in compliance with the post-acknowledgement review process required by OAR-660-020.
11. Citizen involvement and public outreach for the project is outlined in the findings for Goal 1, Citizen Involvement in the Findings as shown in Exhibit B.
12. On January 24, 2005, Planning Commission held a public hearing to receive testimony on the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County . The Plan was passed unanimously.
13. Findings of compliance with Statewide Planning Goals, the Transportation Planning Rule, the Regional Transportation Plan, the Urban Growth Management Functional Plan, and the Comprehensive Plan are contained in Exhibit B.

NOW, THEREFORE, the Council Directs

- a. Adopt the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County dated February 2006, which is attached as Exhibit A;
- b. Adopt the findings for the Transportation System Plan for the Urban Pockets of Unincorporated Multnomah County dated February 2006 as shown in Exhibit B;
- c. Amend Portland's Comprehensive Plan and Transportation System Plan to incorporate new Objective 6.38.L and 11.11.Q and amended street classification maps and new master street plans as shown in Exhibit C;
- d. Amend the Public Facilities Plan, as adopted by Ordinance No. 161770, by replacing the List of Significant Projects in Exhibit C with the amended 20-year Major Transportation Improvements List, as shown in Exhibit D, as a support document to Portland's Comprehensive Plan;
- e. Adopt the remainder of Exhibit A as changes to the support documents for Goal 6 and 11B of the Comprehensive Plan;
- f. Publish revised and corrected versions of Volumes 1, 2, and 3 of the TSP as needed to reflect City Council action.

Passed by the Council: May 24, 2006

Commissioner Sam Adams

Prepared by: Jeanne Harrison

Date: February 28, 2006

GARY BLACKMER

Auditor of the City of Portland

By: /S/ Susan Parsons

Deputy

BACKING SHEET INFORMATION

AGENDA NO. 623 696-2006

ACTION TAKEN:

MAY 17, 2006 PASSED TO SECOND READING MAY 24, 2006 9:30 AM

ORDINANCE/RESOLUTION/COUNCIL DOCUMENT NO. 180172

COMMISSIONERS VOTED AS FOLLOWS:		
	YEAS	NAYS
ADAMS	X	
LEONARD	X	
SALTZMAN	X	
STEN	===	===
POTTER	X	